

WATER RIGHTS SALT LAKE

UNITED THE STATES

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MARKUT 1. ZIMHER

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

JUDGMENT OF JUST COMPENSATION

vs.

187.50 ACRES OF LAND, MORE OR LESS, LOCATED IN WASATCH COUNTY, STATE OF UTAH, THE LLOYD A. AND ANNA LEE FORD FAMILY PARTNERSHIP, ET AL., AND ANY UNKNOWN OWNERS,

Defendants.

Civil No. 89-C-960J

The above-entitled matter, having come on for trial on the issue of just compensation due the landowners for the taking by the Government as described in the Amended Complaint and Amended Declaration of Taking on file herein before the Court, the Honorable Bruce S. Jenkins, United States District Judge presiding, on Monday, February 10, 1992, David J. Jordan, United States Attorney, and Stephen J. Sorenson, Assistant U.S. Attorney, appearing as counsel for the plaintiff, and Clark W. Sessions and Cynthia K.C. Meyer of Campbell Maack & Sessions, Salt Lake City, Utah, appearing as counsel for the defendants 187.50 Acres of land, more or less, located in Wasatch County, State of Utah, and the Lloyd A. and Anna Lee Ford Family Partnership, a Utah limited partnership, and a jury of 12 jurors



and one alternate were empaneled and sworn to try the issue of just compensation.

Opening statements by counsel were made, whereupon both parties thereafter submitted testimony in their respective cases-in-chief. Witnesses were examined in chief, cross examined, exhibits were introduced and both parties rested their cases at the end of the day on Thursday, February 13, 1992.

On Friday, February 14, 1992, commencing at approximately 9:30 a.m., closing arguments were made by counsel and the Court charged the jury as to the applicable law following which time alternate juror Barbara Jean Cooper was excused. The jury thereupon retired for its deliberations and at approximately 7:00 p.m. on Friday, February 14, 1992, the jury returned the following verdict into open Court:

We, the Jury, duly empaneled in the aboveentitled action unanimously find the following:

- 1. The fair market value of the entire property owned by the defendant comprising 491.99± acres of land immediately prior to the taking of October 25, 1989, was \$1,100,100.
- 2. As of the same date, the fair morket value of the remaining property, comprising 312.72±macres immediately after the taking by the government was \$160,841.

3. The just compensation the government must pay to the defendant is (subtract number 2 from number 1) \$939,259.

Dated this 14th day of February, 1992.

/S/ Lyle C. Doane Foreperson

Whereupon the Court directed that the verdict be filed in the case and ordered the entry of judgment forthwith pursuant to Rule 58, Fed.R.Civ.P.

AND, the Court having considered all and singular the law pertaining to the facts as found by the jury in its verdict and that judgment should be accordingly entered, now therefore, and good cause appearing,

entered in favor of the Lloyd A. and Anna Lee Ford Family Partnership, a Utah limited partnership, and against the United States of America in the sum of \$939,259.00, less the sum of \$405,325.00 tendered and paid by the plaintiff to the Lloyd A. and Anna Lee Ford Family Partnership on October 27, 1989, br. in a deficiency and remaining sum of \$533,934.00, said latter sum to bear interest as provided by law from October 27, 1989 to the date of this judgment, pursuant to 40 U.S.C. \$258 e-1 as amended, and thereafter at the judgment interest rate as

prescribed by 28 U.S.C. § 1961 until the same is paid and satisfied pursuant to law.

DATED this 19 day of February, 1992.

BY THE COURT:

Temperamaliscence of Chief Judge

Approved as to form:

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STEPHEN SORENSON Assistant United States Attorney

CLARK W. SESSIONS

Attorneys for Defendants